

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11598-WGY

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF BOSTON,
MASSACHUSETTS; THOMAS M.
MENINO, in his official
capacity as Mayor of the
City of Boston; BOSTON CITY
COUNCIL; MICHAEL F.
FLAHERTY, PAUL J.
SCAPICCHIO, JAMES M. KELLY,
MAUREEN E. FEENEY, CHARLES
C. YANCY, ROB CONSALVO,
JOHN TOBIN, CHUCK TURNER,
MICHAEL P. ROSS, JERRY P.
MCDERMOTT, FELIX D. ARROYO,
MAURA HENNIGAN, STEPHEN J.
MURPHY; BOSTON ELECTION
DEPARTMENT; GERALDINE
CUDDYER, in her official
capacity as Chair of the
Boston Election Department,

Defendants.

CITY OF BOSTON DEFENDANTS' ASSENTED-TO MOTION TO ENLARGE
TIME TO FILE RESPONSIVE PLEADING TO INTERVENOR / DEFENDANT
SECRETARY OF THE COMMONWEALTH'S CROSS-CLAIM

Pursuant to Fed. R. Civ. P. 6(b), the City of Boston
Defendants hereby respectfully move this Honorable Court to
grant an extension of time to file a responsive pleading to
Intervenor / Defendant Secretary of the Commonwealth's

Cross-Claim. As grounds for this motion, the City of Boston Defendants state that:

1. Intervenor / Defendant Secretary of the Commonwealth has assented to the City of Boston Defendants' request for more time to file responsive pleadings (Rule 7.1 certification included below);
2. Additional time will allow for further discussion between the parties to this action;
3. City of Boston Defendants request an extension until September 12, 2007, to file a response to Intervenor / Defendant Secretary of the Commonwealth's Cross-claim; and
4. Allowing this motion will not prejudice any of the parties to the action. In fact, permitting the City of Boston Defendants an extension to file a responsive pleading to Intervenor / Defendant Secretary of the Commonwealth's Cross-claim will further the interests of justice.

WHEREFORE, the City of Boston Defendants respectfully request that this Honorable Court allow this motion to extend time to file a responsive pleading, and set the date for filing of responsive pleadings on or before September 12, 2007.

Respectfully submitted,

DEFENDANTS, CITY OF BOSTON
AND THOMAS M. MENINO

By their attorneys:

William F. Sinnott
Corporation Counsel

/s/ Sean P. Nehill
Sean P. Nehill, BBO #665738
Assistant Corporation Counsel
Mark Sweeney, BBO #490160
First Assistant Corporation
Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4049 (Nehill)
(617) 635-4040 (Sweeney)

7.1 Certification

Undersigned counsel certifies that on August 15, 2007, pursuant to LR, D. Mass. 7.1(a)(2), he spoke with Intervenor Secretary of the Commonwealth's Counsel, Peter Sacks, Esq., who assented to the City of Boston Defendants' request for more time to file responsive pleadings.

Date: August 15, 2007 /s/ Mark Sweeney

CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electric Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 15, 2007.

/s/ Sean P. Nehill
Sean P. Nehill